IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

LETTERS PARENT APPEAL NO.127 OF 2006
IN
CIVIL APPLICATION NO.856 OF 2006
IN
WRIT PETITION NO.3875 OF 2002

M/s.Rasdhara Industries .. Appellant
v/s.
Akaram Ananda Kamble and others .. Respondents

Mr.Sachin Manale for Mr.S.S.Pakale for the appellant.

CORAM : R.M. LODHA &
S.J.VAZIFDAR, JJ.

DATED : 4TH JULY, 2006.

P.C.

The matter was heard by us yesterday on motion hearing and we indicated to Mr.S.S.Pakale, the counsel for the appellant that there was no merit in the appeal. However, we may consider granting some time to the appellant to deposit the back wages.

2. Mr.S.S.Pakale, counsel for the appellant prayed for a day's time to seek instructions from the appellant in this regard. He, however, submitted that the appellant has always been ready and willing to reinstate the respondents in service but the respondents have not chosen to join the duties. Accordingly, the matter was kept for today.

3. Today, Mr.Sachin Manale, counsel appears for the appellant

and submits that the appellant shall deposit 50% of the back wages within two weeks from today and the remaining 50% of the back wages within three weeks therefrom.

4. In our considered view, the time sought for by the appellant in depositing the back wages is fair and reasonable. Accordingly, we direct the appellant to deposit 50% of the back wages within two weeks from today and the remaining 50% of back wages within three weeks therefrom.

5. As regards the contention of the counsel for the appellant that the appellant has always been ready and willing to reinstate the respondents in service, as and when this question arises, it would be examined in the appropriate proceedings. In so far as we are concerned, no order needs to be passed in this connection in the present appeal.

The appeal is disposed of accordingly.

(R.M.LODHA, J.)

(S.J.VAZIFDAR, J.)